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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PARKHURST & WENDEL, L.L.P.  
1421 Prince Street  
Suite 210  
Alexandria, Virginia 22314-2805  
Telephone: (703) 739-0220

Attorney Docket No.: DAIN:550

Date: January 16, 2003

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application:

Examiner: Kimberly T. Nguyen

Art Unit: 1774

Sir:

This is a

- ☐ Continued Prosecution Application (CPA) under 37 CFR §1.53(d);  
☒ Request for Continued Examination (RCE) under 37 CFR §1.114  
(prosecution of the application is closed in the sense of 37 CFR §1.114(b));  
☐ Divisional Continuation Application (parent not abandoned) under  
37 CFR §1.53(b);  
☐ Divisional Application (parent being abandoned) under 37 CFR  
§1.53(d);

of pending prior application Serial No. 09/508,604, filed March 14, 2000

for [Title as filed]: DECORATIVE MATERIAL

[Amended Title]: same

by [Inventors]: Kazuhiro TAKAHASHI and Kimio ITO

1. ☐ A copy of the prior application is attached. This copy comprises a true copy of the prior application as filed (specification, claims, drawings, declaration). No amendments referred to in the declaration (if any) filed to complete the prior application introduced new matter therein.
2. ☐ Abandon said prior application as of the filing date accorded this application.

01/17/2003 MGBREM1 00000110 09508604

01 FC:1801	750.00 OP
02 FC:1201	84.00 OP
03 FC:1202	342.00 OP

PLEASE ACCEPT THIS AS  
AUTHORIZATION TO DEBIT  
OR CREDIT FEES TO  
DEP. ACCT. 16-0331  
PARKHURST & WENDEL

3. [X] The filing fee is calculated below:

CLAIMS REMAINING IN AN APPLICATION AFTER ENTRY  
OF ANY PRELIMINARY AMENDMENT OR AMENDMENT  
UNDER 37 CFR §1.116 NOTED BELOW

Basic Fee

\$750.00

Total claims 39 - 20 = 19 x \$18.00 (\* 9.00) = 342.00

Independent claims 4 - 3 = 1 x \$84.00 (\*42.00) = 84.00

Total Filing Fee..... = \$1,176.00

4. [X] A check in the amount of \$1,176.00 is enclosed (Ck# 16/96).  
THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY OTHER FEES  
WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT  
NO. 160331.
5. [ ] Cancel in this application claims of the prior application before  
calculating the filing fee. At least one independent claim is  
retained for filing purposes.
6. [ ] Amend the specification by inserting before the first line the  
sentence:  
--This is a [ ] Continuation [ ] Division of application Serial No.  
09/508,604 filed March 14, 2000.--
7. [ ] Please enter in the present application the Amendment Under 37 CFR  
§1.116 with any attachments filed on in said prior application  
which was not entered therein.
8. [X] Priority of foreign application Nos. 1998-214919 filed July 14,  
1998; 1998-256950 filed September 10, 1998; 1998-308431 filed  
October 29, 1998; 1998-311618 filed November 2, 1998; and 1998-  
330285 filed November 20, 1998 in Japan is claimed under 35 U.S.C.  
§119.
- [X] The certified copies were filed in PCT/JP99/03806.
- [ ] A certified copy of the above corresponding foreign application is  
filed herewith.
9. [X] The prior application is assigned of record to DAI NIPPON PRINTING  
CO., LTD. Recorded at Reel 010722, Frame 0636.

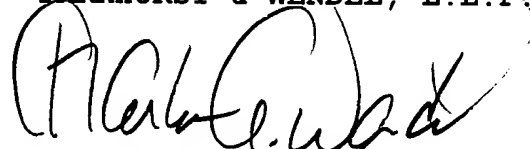
10. [X] The power of attorney in the prior application is to Roger W. Parkhurst, Registration No. 25,177 and Charles A. Wendel, Registration No. 24,453:
- [X] a. The power appears in the original papers in the prior application.
  - [ ] b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - [X] c. Address all future communications to

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11. [X] An Application Data Sheet is enclosed.
12. [X] A Reply to Comments in Advisory Action is enclosed herewith.
13. [ ] An Information Disclosure Statement is enclosed.
- 14 [X] This application is not entitled to Small Entity Status.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Charles A. Wendel  
Registration No. 24,453

(rev. 01/02)



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kazuhiro TAKAHASHI et al.

Group Art Unit: 1774

Serial No.: 09/508,604

Examiner: Kimberly T. Nguyen

Filed: March 14, 2000

For: DECORATIVE MATERIAL

REPLY TO COMMENTS IN ADVISORY ACTION

Commissioner for Patents  
Washington, D. C. 20231

Sir:

The Advisory Action mailed July 30, 2002 contained a statement that the claims were not patentable because applicants had not shown that the article in Manning et al. '007 did not have radiation ionizing curable layers. The reference is said to show polyurethanes of polyisocyanates as did the Skinner et al. '400 reference of record. The Examiner stated that such resins were ionization radiation curable and that one of ordinary skill in the art would have recognized that the polyurethanes are ionizing radiation curable.

Serial No. 09/508,604

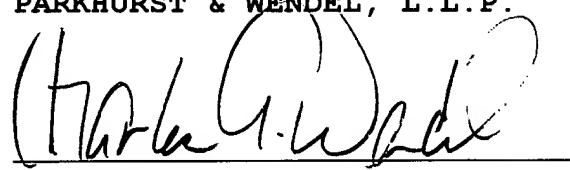
Applicants respectfully point out that there is no mention whatsoever in Manning et al. '007 of radiation curing. The person or ordinary skill in the art, as pointed out in the Request for Reconsideration filed July 16, 2002, would not in view of the disclosure in Skinner et al. '400 at column 3, lines 46 to 61 have reason to believe or think that the polyurethanes disclosed in Manning et al. '007 are radiation curable because such resins are not preferred in the use of sheet vinyl flooring seam sealing compositions disclosed therein. Thus, there is no reason to believe that Manning et al. '007 would use an ionizing radiation curable resin for its floor covering product. Applicants respectfully submit that the claims patentably distinguish over the cited art.

Serial No. 09/508,604

The Examiner is informed that there was timely filed an Information Disclosure Statement on August 23, 2002. She is asked to consider that paper along with the instant documents.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

  
Charles A. Wendel  
Registration No. 24,453

  
Date

CAW/ch

Attorney Docket No.: DAIN:550

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